

SCRUTINY COMMISSION : 5 NOVEMBER 2003

**DRAFT JOB DESCRIPTIONS FOR OVERVIEW AND SCRUTINY
CHAIRMEN AND SPOKESMEN**

REPORT OF THE CHIEF EXECUTIVE

PURPOSE

- 1 The purpose is to seek approval to a draft job description for Chairmen and Spokesmen of Overview and Scrutiny bodies.

BACKGROUND

2. In its report to the Council in March 2002 the Independent Panel on Members' Allowances commented that the Panel had received evidence to suggest that it would be helpful if the expectations and commitments involved in undertaking positions which qualified for special responsibility allowances were set out in writing. Amongst other things the Panel felt that this would help to clarify the various roles and act as a guide to members who aspired to take on additional responsibilities.
3. The Scrutiny Reference Group has now considered and agreed a draft job description for Chairmen and Scrutiny Committee Spokesmen, a copy of which is attached marked Appendix 'A'. Copies have been sent to all Scrutiny Chairmen and Spokesmen for comment. Any comments received will be reported at the meeting.

RECOMMENDATIONS

4. The Commission is asked to:-
 - a) approve the draft job description for Chairmen and Spokesmen of Overview and Scrutiny bodies;
 - b) note that the agreed job description will be drawn to the attention of Independent Panel on Members' Allowances.

BACKGROUND PAPERS

- Attached draft job description
- Report of the Independent Remuneration Panel on Members' Allowances submitted to the County Council on 17 September

OFFICERS TO CONTACT

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APPENDIX 'A'

DRAFT JOB DESCRIPTION FOR SCRUTINY COMMITTEE CHAIRMEN AND SPOKESMEN

The Chairman and Spokesmen of Scrutiny Committees have a particular responsibility to ensure that their respective Committees discharge their general role and specific functions which are set out in Articles of the Constitution.

Article 6.02 sets out the general role of overview and scrutiny. Overview and Scrutiny Committees will:

- (a) review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the County Council's functions;
- (b) make reports and/or recommendations to the full County Council and/or the Executive and/or any joint area committee in connection with the discharge of any functions;
- (c) consider any matter affecting the County or its inhabitants; and
- (d) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive and/or any policy or area committees.

Article 6.03 sets out the specific functions of overview and scrutiny committees. Overview and Scrutiny Committees may:

- (a) **Policy development and review**
 - 1. assist the County Council and the Executive in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
 - 2. conduct research, community and other consultation in the analysis of policy issues and possible options;
 - 3. consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - 4. question members of the Executive and/or boards, committees and chief officers about their views on issues and proposals affecting the County; and
 - 5. liaise with other external organisations operating in the County, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

(b) **Scrutiny**

1. review and scrutinise the decisions made by and performance of the Executive and/or boards, committees and chief officers both in relation to individual decisions and over time;
2. review and scrutinise the performance of the County Council in relation to its policy objectives, performance targets and/or particular service areas;
3. question members of the Executive and/or board, committees and senior officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
4. make recommendations to the Executive and/or appropriate committee and/or County Council arising from the outcome of the scrutiny process;
5. review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and
6. question and gather evidence from any person (with their consent).

In order to achieve this, the Chairmen and Spokesmen should :-

- a) be responsible for ensuring the effective discharge of the overview and scrutiny function by means of encouraging debate at Committees which is both challenging and constructive leading to conclusions which are clear, understandable and supported by well argued reasons;
- b) be responsible for ensuring the efficient management of the Committee's business by way of regular agenda planning meetings;
- c) consider whether it will be appropriate to invite Cabinet members, other members, Officers, or representatives of external bodies to attend to assist scrutiny committees in their deliberations;
- d) be proactive about keeping in touch with service developments by maintaining contact with relevant service departments for example by holding regular meetings with the Chief Officer and others;
- e) maintain regular dialogue with the Executive particularly in relation to reviews/investigations to ensure that duplication of effort is avoided;
- f) ensure that they are familiar with the general nature and content of plans and strategies within the Policy Framework as set out in Schedule 2 of the Articles to the Constitution which are of particular relevance to the work of the Committee and consider how scrutiny of these plans can most effectively be undertaken through adopting a selective approach;

- g) be proactive in identifying potential sources of relevant information which may be used in judging the performance of the Authority for example by looking at views expressed by users and the public and information arising from any external examination of the Authority;
- h) take the lead in identifying appropriate ways of reporting issues to scrutiny committees with a view to stimulating debate;
- i) take the lead in identifying issues for detailed examination by the Committee or by a five member panel;
- j) take the lead in considering the terms of reference for individual scrutiny review panels and ensuring that the final report addresses the issues identified in their original brief and sets out clearly the outcomes which the panels wish to be achieved and proposals for monitoring progress;
- k) take action on behalf of the Committee in commenting on matters referred from the Cabinet which are of an urgent nature;
- l) promote and encourage the use of the Guidance Notes produced to assist Scrutiny members;
- m) monitor and review methods of working and make recommendations on possible changes to the Scrutiny Reference Group;
- n) follow the various codes of practice and standards of behaviour laid down by the Council, including the Code of Corporate Governance.

Note:-

The draft job description will also apply to the Chairman and Spokesmen of the Scrutiny Commission. However, given the particular role of the Commission and the Scrutiny Reference Group in relation to the overall management and operation of the scrutiny function, the Chairman and Spokesmen of the Commission should also:

- o) monitor developments and consider lessons learnt from guidance, inspection and research undertaken at a national or local level and make suggestions to the Commission on revised working methods (through the Scrutiny Reference Group);
- p) oversee the work programmes of all scrutiny bodies;
- q) ensure that they are aware of significant issues which are debated at scrutiny meetings and the outcomes of that process in the light of the need to maintain a critical but constructive relationship with the Executive and external bodies;
- r) oversee the preparation (on behalf of all scrutiny bodies) of an annual report on activities undertaken by those bodies;
- s) keep in touch with the Forward Plan of Key Decisions and take the lead role in managing the operation of the call-in procedure;

- t) contribute to discussions relating to officer support to the scrutiny function with a view to making proposals for improvement, as appropriate;
- u) contribute to discussions relating to issues of member training in the light of the particular needs of scrutiny members.